BILL NO. S-91-01-20

SPECIAL ORDINANCE NO. S-24-91

AN ORDINANCE approving the awarding of Reference #1447 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **SPECIALIZED EQUIPMENT LEASING, INC.** for the Park Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1447 between the City of Fort Wayne, by and through its Department of Purchasing and **SPECIALIZED EQUIPMENT LEASING, INC.** for the Park Department, respectfully for:

the purchase of a brush chipper machine for the Park Department;

involving a total cost of **Thirteen Thousand One Hundred** and **no/100 Dollars ($13,100.00)**, all as more particularly set forth in said Reference #1447 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

REF. NO.:	1447
DEPT.:	PARK DEPARTMENT
DATE:	1/22/91
ITEM/SERV.:	BRUSH CHIPPPER MACHINE

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	11/19/90 & 11/26/90
OPENING DATE:	12/20/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	10
NO. OF VENDORS RECEIVING BID:	7
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	7
DATE SENT TO DEPT FOR RECOMM.:	12/20/90
DATE RECOMMENDATION REC'D IN PURCH:	1/8/91
COUNCIL INFORMATION	DATES SENT EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	1/22/91
INTRODUCTION DATE:	1/22/91
DISCUSSION DATE:	2/5/91
PASSAGE DATE:	2/12/91
ORDINANCE NO.:	

REFERENCE NO. 1447
BRUSH CHIPPER MACHINE
12/26/90

	VERMEER SALES	SPECIALIZED EQUIP	DEEDS EQUIPMENT
YEAR	1991	1991	1990
MAKE	VERMEER	BRUSH BANDIT	EEGER BEEVER
MODEL	1250	100/200+	290
SUB TOTAL	$19,800.00	$14,800.00	$15,498.00
LESS TRADE	$7,100.00	$1,700.00	$1,500.00
TOTAL	$12,700.00	$13,100.00	$13,998.00
DELIVERY TIME	60 DAYS	30 DAYS	NOT GIVEN

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 12-20-90 @ 11:00 AM BID REFERENCE # 1447

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR ONE (1) NEW 1990/1991 BRUSH CHIPPER MACHINE INCLUDING ALL EQUIP LISTED AS STANDARD PER SPECIFICATIONS

AND REQUESTED BY BOARD OF PARK COMMISSIONERS

THIS BID REQUIRES A XXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 1 %
IF PAID WITHIN 10 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Specialized Equipment Leasing, Inc.

STREET ADDRESS 2730 Goshen Road

CITY Fort Wayne, IN PHONE # 484-9312

BY Donald A Stolle Vice Pres.
REPRESENTATIVE SIGNATURE

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: December 19, 1990

1. Governmental Unit: City of Fort Wayne Parks Dept.
2. County: Allen
3. Bidder (Firm): Specialized Equipment Leasing, Inc.
   Address: 2730 Goshen Road
   City/State: Fort Wayne, IN 46808
4. Telephone Number: 219-484-9312
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

_____
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Specialized Equipment
Bidder (Firm)

Donald A. Stolz
Signature of Bidder or Agent

Subscribed and sworn to before me this 19th day of Dec., 19 90

My Commission Expires: 10/14/94

County of Residence: Allen

Susan R. Lambroff
Notary Public

Susan R. Lambroff
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

Quantity	Unit	Quality — Description	Unit Price	Amount
1	ea.	Brush Bandit Model 100/200+ Chipper equipped with a Cummins 4B3.9 , 76-HP, 11" PTO clutch Optional Power Source: Cummins 4B3.9TA, 116 HP in lieu of 4B3.9, 76 HP engine for an additional $900.00.		$14,800.00

IF MORE SPACE IS NEEDED — ATTACH SEPARATE SHEET.

Specifications for One (1) new 90/91Brush Chipper Machine including all equipment listed as standard in manufacturers' printed literature describing the machine, unless superceded by special equipment herein:

Year: 1991 Make: Brush Bandit Model: 100/200+ $ 14,800.00

1. General :
Length, transport 131"
Width, transport 87"
Height, transport 92"
Tonge Weight 600 lbs.
Safety tow chains
Battery box and tool box lockable
Vertical feed rollers
Two (2) sets of service and maintenance manuals
Two (2) extra sets of knives $ _____

2. Engine:
Maximum grass horsepower at no load R.P.M.
at 2500 R.P.M.
Model 4.236 diesel
Cooling medium liquid
Oil filter full flow
Fuel tank 30 gallons
Electrical system 12 volt
Engine shield lifts up out of way for
easy access to engine $ _____

3. Chassis:
Heavy duty frame
Lighting standard heavy sealed for life,
stop tail and turning lights
Fenders over wheels
2½" ID Pintle eye
Jackstand screw type $ _____

4. Feed System:
Oil tank capacity 11 gallons
Oil filter replaceable cartridge
Hydraulic pump capacity 7 gallon/minimum
Hydraulic motr 24 cu in per revolution
Central 50/50 flow divider
Speed control variable speed flow divider
Discharge chute rotatable 270 degrees
Feed roller size 16" diameter
Blower CFM 3020 cfm
Infeed extension table width at least 48",
feed table height 26" from ground, feed
table length rotor to end at least 94" $ _____

5. Chipper Unit:
Hydraulically pivots 45 degrees for easy
and side feeding
Knives four (4)
Knives type hardened tool steel
Unfeed capacity 12"x12" opening
Chip discharge 270 degree swing cannot point
to operator area
Chipper feed rate 131 ft/minimum
Bearings pilot flange
Set tools for changing knives $ _____

6. Warranty:
Give description of warranties and component
warranties available. $ _____

Specifications (Continued)
One (1) new 90/91 Brush Chipper Machine

7. Trade-In: #347 Mitts Merrill BM82033
9 blade Brush Chipper
1982

LIST PRICE	$16,190.00
City Discount	$ 1,390.00
Sub Total:	$ 14,800.00
Less Trade:	$ 1,700.00
Total:	$ 13,100.00

Validity of bid price: 60 days
(in calendar days)

Delivery time aro: 30 days

BANDIT INDUSTRIES, INC. CHIPPER LIMITED WARRANTY
(517) 561-2270

NOTICE!! All power units and associated components are NOT warranted by Bandit Industries, Inc. or their dealers. It is the customer's responsibility to return machine to the local engine distributor.

Information phone numbers to find **your local** engine & clutch parts and service centers:

Ford Engines 1-800-722-5787
Mon.-Fri. 8 AM to 7 PM
Wisconsin Engines, Hercules (White) Engines, Hatz Engines } (313) 349-9330 (Engine Supply)
Cummins Engines 1-800-343-7357
Onan Engines (Factory) . . . . . (612) 574-5000

John Deere Engines (Factory) . . . . . (319) 292-4137
Advanced Design (ADC) Clutch . . . . . (812) 377-3677
Rockford Clutch . . . . . (815) 633-7460
Twin Disc Clutch . . . . . (414) 634-1981
Funk Clutch 1-800-722-5787
Mon.-Fri. 8 AM to 7 PM

Bandit Industries, Inc., hereafter referred to as "Manufacturer" warrants each new Bandit Brush Chipper to be free of defects in workmanship and material for a period of one year or 2000 hours, which ever comes first.

This warranty takes effect upon delivery to the original retail purchaser. The manufacturer at its option will replace or repair at a point designated by the manufacturer, any parts which appear to have been defective in material or workmanship. The manufacturer is not responsible for labor or consequential damages.

This warranty will not apply if the Bandit is not operated in a manner recommended by the manufacturer. The following examples would void warranty:

1. The Bandit has been abused.
2. The machine is involved in or damaged by an accident.
3. Repairs or attempted repairs made without prior written authorization.
4. Repairs made due to normal wear.

The owner is responsible for all regular maintenance as explained in the operators manual. Neglect in regular maintenance or failure to replace normal wear items such as knives, knife anvil, lubrication oils, filters, belts, etc. may void warranty.

This warranty is expressly in lieu of any other warranties, express or implied, including any implied warranty or merchantability of fitness for a particular purpose and of any non-contractual liabilities including product liabilities, based upon negligence or strict liability. Bandit Industries, Inc. will not be liable for consequential damages resulting from breach of warranty.

IT IS NECESSARY TO RETURN THE WARRANTY VALIDATION REPORT & NOTIFY BANDIT INDUSTRIES, INC. IN WRITING WITHIN TEN (10) DAYS FROM DELIVERY DATE TO VALIDATE WARRANTY.

NOTE!! This warranty applies only to new and unused equipment or parts thereof manufactured by Bandit Industries, Inc. All other component parts are warranted by their respective manufacturers (ie. engines, tires, batteries, etc.). Any machines used for lease or rental - warranty is limited to 90 days from first day of initial service.

NATIONAL INFORMATION PHONE NUMBERS FOR ACCESSORIES —
CORDOVAN TIRES 1-800-238-6469, & INTERSTATE BATTERIES 1-800-331-1000
(MICHELIN TIRES HAVE NO 800 NUMBER)

In order to process any warranty claims, it is the owner's responsibility to report the claims promptly to us or our authorized dealer from whom the equipment was purchased. It is necessary to include the following information on any and all requests for warranty:

1) Dealer from whom purchased
2) Date of delivery
3) Serial number of unit
4) Model number of unit
5) Engine make and serial number
6) Length of time in use
7) Date of failure
8) Nature of failure

Read the first time in full and on motion by Gia Quinta, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference ~~Room 128~~, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____.M.,E.S.T.

DATED: 1-22-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Edmonds, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8	1		
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY		✓		
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 2-12-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ ~~(ZONING MAP)~~ ORDINANCE ~~RESOLUTION~~ NO. S-24-91 on the 12th day of February, 19 91.

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 19 91 at the hour of 1:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of February, 19 91, at the hour of 3:00 o'clock P.M.,E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 1447 for the purchase of a brush chipper machine for the Park Department. The cost reflects the most responsive of three (3) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED: Vermeer Sales is low vendor at $12700.00, Specialized Equipment is second low at $13100.00. Tree Division already has 2 brush bandit chippers and a stock of spare parts for them. The $400.00 difference in cost would be more than used up in stocking spare parts for a different brand of chipper.

EFFECT OF PASSAGE: This will be used to chip brush.

S-91-01-30

IF REPLACEMENT, WHAT NECESSITATES: Old chipper has to be replaced. It is broken down and unsafe to repair and continue using.

EFFECT OF NON-PASSAGE: Tree Division will not be able to chip brush.

PRIOR APPROVAL REQUESTED:

MONIES INVOLVED: Specialized Eqp $13,100.00

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: Park Dept 121-121-P260-4444

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-91-01-30

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, REDD, BURNS

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #1447 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SPECIALIZED EQUIPMENT LEASING, INC. for the Park Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Mark E. GiaQuinta			
D. Schmidt			
Paul Burns			
J. Bradbury			

DATED: 2-12-91.

Sandra E. Kennedy
City Clerk